1.	Mr. Erinjeri Ouseph, President		9
2.	,, Kallukaran Poulose, Member		9
3.	,, Kalliyath Chakkoru	do	5
4.	,, Edakkunni Sankaran-kutty Warriar	do	9
5.	,, Kocheri Krishnan	do	7
6.	,, Kaippilli Ayyappa Menon	do	
7.	,, Akkara Mathew	do	6

Mr. T. A. Ramachandra Ayyar.—(6). The member has not attended any meeting. Has he attended any meeting?

Mr. I. Raman Menon.—I find he has not.

Mr. T. A. Ramachandra Ayyar.—Was any action t ken?

Mr. I. Raman Menon.—He has attended 8 meetings. It is a mistake in printing.

Pazhayannur Dispensary.

108. Mr. T. K. Nayar.—Will the Government be pleased to state whether they propose to put up some emergency beds at the Pazhayannur Dispensary?

Diwan Bahadur Dr. V. Verghese.—It has already been done.

Calling of tenders beyond budget provision.

109. Mr. A. B. Salem.—(1) Will the Government be pleased to inform the names of the present contractors for the supply of medicines, instruments and other hospital requisites, such as clothes, dressings, dietary articles, etc., required in the hospitals of the State;

(2) will the Government be pleased to say how the tenders for the supply of medicines for the next 3 years came to be called for, when there was a budget provision for the year 1104 only;

(3) will the Government also be pleased to state whether the previous sanction of the Government was obtained by the Chief Medical and Lanitary Officer before he called for such 3 years' tender; if so, will the Government be pleased to state the date on which the Diwan's sanction was given for calling such 3 years' tender;

(4) will the Government be pleased to state how much money out of the provision for 1104 for the supply of medicines. etc., was utilised for making payments for the supply of medicines, instruments, etc., in the previous years; and if so, for what year's supply such money has been utilised;

(5) will they be further pleased to state how much money was outstanding on account of the supply of 1103, 1102, and 1101 if any?

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Diwan Bahadur Dr. V. Verghese.—

Medicines and Instruments.

(1) Messrs. Evans Sons Lescher & Webb, Limited, Liverpool.

Special supplies have been obtained from the undermentioned firms:—

(a) Messrs. Dadha & Co., Madras.
(b) The Superintendent of Prisons, Madras.
(c) S. Koder Esq., Cochin.
(d) Messrs. Varuthunni & Tharu, Trichur.
(e) A. S. Davidson Esq., Hamburgh.
(f) Havero Trading Co., Calcutta.
(g) Surgical Co., Bombay.
(h) The X-Ray Institute of India, Dehra-Dun.
(i) The International Electric Co., Bombay.
(j) R. V. Kammath & Co., Cochin.

Clothes and dressings.

The Central Jail, Trichur. Local purchases have been made for special articles.

Dietary articles.

i. K. G. Gopala Shenoi.
ii. C. C. Kunhu Vareed.
iii. M. K. Damodara Pai.
iv. A. R. Joseph.
v. Rappai Rappai.
vi. Okkru Varied.
vii. Moidin Sahib Rahuman Sahib.
viii. K. Eacharan Nayar.
ix. K. Krishnankutti Nayar.

(2) There was no harm in calling for tenders for 3 years; but the contract was given only for one year.

(3) No previous sanction of the Government in the matter in necessary.

(4) Rupees 50,185, which was the amount outstanding at the end of 1103.

(5) 1101 Rs. 25,588.
1102 Rs. 47,132.
1103 Rs. 50,185.

Mr. A. B. Salem.—(1). Sir, may I know whether all these contractors were appointed by tender or by negotiation? Have they supplied by an order or by negotiation?

Diwan Bahadur Dr. V. Verghese.—The first-named firm was by tender, the others not.

Mr. A. B. Salem.—May I know why a departure was made in that case?

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Diwan Bahadur Dr. V. Verghese.—There is no departure.

Mr. A. B. Salem.—It was understood in this House that the articles supplied would be by tender.

Diwan Bahadur Dr. V. Verghese.—It was not understood in this House that it was all by tender.

Mr. A. B. Salem.—I refer you to the cut motion. No supply of medicine should be taken except by open tender.

Diwan Bahadur Dr. V. Verghese.—Will you please read there?

Mr. A. B. Salem.—It does not matter about reading. I shall read the cut motion.

Diwan Bahadur Dr. V. Verghese.—It is regarded as a resolution in the Council.

Mr. A. B. Salem.—Does the Hon'ble Member mean to state that it was not understood on the floor of this House that the supply of medicine in the year 1104 should be only by tender?

Diwan Bahadur Dr. V. Verghese.—Not all medicines. All European medicines.

Mr. A. B. Salem.—May I know what kind of medicine Messrs. Dadha and Company supplied?

Diwan Bahadur Dr. V. Verghese.—All medicines locally purchased.

Mr. A. B. Salem.—Are they European medicines or Ayurvedic medicines?

Diwan Bahadur Dr. V. Verghese.—I have nothing to do with Ayurvedic medicines.

Mr. A. B. Salem.—Are they medicines manufactured in Europe?

Diwan Bahadur Dr. V. Verghese.—Glycerine. It is manufactured in India. Also Turpentine which is manufactured in India. He may have got down medicines from Europe, I do not know.

Mr. A. B. Salem.—May I know where Glycerine and Turpentine are manufactured in India?

Diwan Bahadur Dr. V. Verghese.—Messrs. Parry and Company. There are several firms all over India manufacturing Turpentine.

Mr. A. B. Salem.—May I know why you ordered it from Messrs. Dadha and Co., if you knew the names?

Diwan Bahadur Dr. V. Verghese.—We deal with a person who deals with the article, not with the manufacturers.

Mr. A. B. Salem.—I did not ask that. I ask, when there was information before the Government of the names of

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manufacturers like Messrs. Parry and Company why were not orders given to the manufacturers direct instead of to Messrs. Dadha and Company?

Diwan Bahadur Dr. V. Verghese.—It was left to my discretion where to purchase articles like that. There is a particular firm which gets articles manufactured here and there, and I get them from them. It is left to my discretion where I should purchase.

Mr. A. B. Salem.—When was that discretion vested, under what orders?

Diwan Bahadur Dr. V. Verghese.—It is in the Standing Orders of the Government.

Mr. A. B. Salem.—Please refer me to the number.

Diwan Bahadnr Dr. V. Verghese.—32.

Mr. A. B. Salem.—Is it under the same Standing Order all these places were ordered to supply?

Diwan Bahadur Dr. V. Verghese.—Yes.

Mr. A. B. Salem.—And from them also did you get only Indian made articles?

Diwan Bahadur Dr. V. Verghese.—Will you please ask a pointed question?

Mr. A. B. Salem.—S. Koder Esq., Cochin. What kind of articles?

Diwan Bahadur Dr. V. Verghese.—I got some lint.

Mr. A. B. Salem.—Manufactured in India or Europe?

Diwan Bahadur Dr. V. Verghese.—Not manufactured in India, Sir.

Mr. A. B. Salem,—Messrs. Varuthunni and Tharu, Trichur, what kind of articles?

Diwan Bahadur Dr. V. Verghese.—Castor Oil.

Mr. A. B. Salem.—Davidson, Esquire.

Diwan Bahadur Dr. V. Verghese.—Some German bottles.

Mr. A. B. Salem.—Empty or full?

Diwan Bahadur Dr. V. Verghese.—Empty.

Mr. A. B. Salem.—May we know whether the other firms were supplying also without tender, whether tenders or any orders were passed to them?

Diwan Bahadur Dr. V. Verghese.—No.

Mr. A. B. Salem.—How are their names known to the Chief Medical and Sanitary Officer?

Diwan Bahadur Dr. V. Verghese.—I am supposed to know where articles are available.

Mr. A. B. Salem.—May I know whether tenders were called for these articles?

Diwan Bahadur Dr. V. Verghese.—I have already said no.

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Mr. A. B. Salem.—Have tenders been taken from these people?

Diwan Bahadur Dr. V. Verghese.—No.

Mr. A. B. Salem.—May we know why tenders have not been called for?

Diwan Bahadur Dr. V. Verghese.—That has been ordered under the Standing Orders.

Mr. A. B. Salem.—My question is whether in the first instance tenders were called for all these articles that were supplied by these gentlemen.

President.—He has said he has not called for tenders.

Mr. A. B. Salem.—That is what we want to know.

Diwan Bahadur Dr. V. Verghese.—I may say for the information of the House that I asked Messrs. Varuthunni and Tharu, Trichur, for Castor Oil, and I got the best article that was available locally. Then as regards cotton and linen, from the various samples supplied to me, I thought Mr. Koder would satisfy my needs, and I ordered from him. All this I say only for the information of the House.

Mr. A. B. Salem.—May we know the provision of that Standing Order quoted by the Hon'ble Member?

Diwan Bahadur Dr. V. Verghese.—You can send for the Standing Order if you like.

Mr. A. B. Salem.—May we know, Sir, why the tender was called for three years? I asked a question how it came to be called when we have only the budget provision for 1104.

Diwan Bahadur Dr. V. Verghese.—I shall finish with the Standing Order and then I shall come to this question. It is available now. I shall pass the book to you.

Mr. A. B. Salem.—It is enough if the Hon'ble Member reads out the same.

Diwan Bahadur Dr. V. Verghese.—Standing Order No. 32:—"In addition to the powers conferred on them by any law or rule having the force of law, the following powers are delegated to the Heads of Departments:—

Chief Medical and Sanitary Officer.—1. Power to sanction indents of individual hospitals, when the expenditure involved is within the budget allotment. 2. Power to countersign contingent bills of Medical Institutions and Sanitary Boards. 3. Power to employ temporary cholera and small-pox staff when the expenditure does not exceed budget allotment. 4. Power to sanction indents for furniture, medical appliances, &c., of individual hospitals when the expenditure involved is within the budget allotment. 5. Power to sanction and confirm the sale of unserviceable articles."

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Mr. A. B Salem.—It does not mention that he can order for medicines without tender. There is no discretion of any kind vested there to pass on contracts by Government without tender at all.

President.—It is a discussion on the question, and so I cannot allow it.

Mr. A. B. Salem.—I simply refer to the answer given to me. That Standing Order does not mention anything at all about the discretion.

President.—The Standing Order says nothing about the discretion.

Diwan Bahadur Dr. V. Verghese.—This discretion refers only to Messrs. Varuthunni and Tharu, Mr. Koder and others. The Hon'ble Member is misrepresenting what I have said, Sir.

Mr. A. B. Salem.—I have said it openly, Sir. I am not misrepresenting anything. That is rather a personal reflection, and no kind of personal reflections can be made in this House. That refers to the conduct of a Member.

President.—Nothing serious was intended by that statement.

Mr. A. B. Salem.—Then let that word be withdrawn.

President.—He did not use it with any motive to hurt you.

Mr. A. B. Salem.—If it is done with a motive, then it is still more heinous.

I do not know what I misrepresented. I asked why tenders were not called for. We were insisting in this House that tenders should be called for all Government supplies, and since tenders were not called, these questions were asked. It was answered that it was done under the discretion vested under the Standing Orders. But there is nothing in the Standing Order that was read to indicate that contracts may be passed over for supply of articles for Government purposes without calling tenders.

President.—The Standing Order relied upon by the Member does not support his case.

Diwan Bahadur Dr. V. Verghese.—It is only after an expression of opinion by this Council, that, in the case of European medicines, we must call for tenders, that tenders were called for such articles. These are things which are available locally, i.e., Castor Oil, I used my discretion as to the particular person from whom I should get it.

Mr. A. B. Salem.—My question is where is that discretion allowed. These are important questions. Government money flows out like anything.

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President.—In respect of one medicine we called for tenders, in respect of others no tender was called, and then the Chief Medical Officer says that he exercised his discretion in the matter.

Mr. A. B. Salem.—May we know whether orders were solicited or they came unsolicited to supply these articles ?

Diwan Bahadur Dr. V. Verghese.—These are unsolicited orders.

Mr. A. B. Salem.—With reference to sub-division (2), may I know why tenders for three years were called for when there was provision in the budget only for one year ?

Diwan Bahadur Dr. V. Verghese.—The answer is there.

Mr. A. B. Salem.—It is certainly harmful. Anyhow I do not want to make any comment on the answer. I wish to get an answer why tenders were called for three years.

President.—It was thought that there was no harm in calling for tenders for three years.

Mr. A. B. Salem.—My question was how tenders for three years came to be called when there was budget provision for 1104 only.

President.—The Chief Medical Officer said that he could call for tenders for three years.

Mr. A. B. Salem.—Then it would have been better to have put it in that way than saying 'there was no harm in calling for tenders for three years.'

Is there any harm in calling for tenders for one year ?

Diwan Bahadur Dr. V. Verghese.—I thought we might get better terms, if we called for tenders for three years. There is no harm in that, and it is left to my discretion still to utilise the budget allotment. It is only when I want to exceed it, I require the orders of the Government.

Mr. A. B. Salem.—If tenders were called for three years, and the Government really retracted from that before the expiry of the said period, would they not be liable to any damages ?

President.—Tender is only an offer, and the acceptance of the same rests with the Government. They can retract without assigning any reasons. It is they who come forward to supply such and such an article at such and such a price. Government is at liberty to accept it or not to accept it.

Mr. A. B. Salem.—Is it not unfair to the citizens when the Government gives a tender for three years when they will be getting a low rate and then after one year retracts from the tender ? If the tender is only for one year, they will quote a higher price.

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With regard to sub-division (3), can any officer of Government without previous sanction call for tenders like this Sir ?

Diwan Bahadur Dr. V. Verghese.—I can only answer for my Department. He asks questions concerning all the Departments.

Mr. A. B. Salem.—Can any officer including the Chief Medical Officer call for tenders in this manner without sanction of the Government ?

President.—If you have not got ready information, say notice.

Mr. A. B. Salem.—Is the Medical Department authorised to call for tenders without sanction of the Government for any number of years for supplies ?

Diwan Bahadur Dr. V. Verghese.—There is no objection. No orders to the contrary.

Mr. A. B. Salem.—I asked how much money was outstanding in 1103, 1102 and 1101, and the answer given is that an amount of Rs. 50,000 and odd was outstanding at the end of 1103. This year the allotment was Rs. 90,000 and odd and out of this Rs. 50,000 and odd went to pay out the debts. I ask the question whether medicines worth Rs. 40,000 and odd were found sufficient for the supply of this year. There was a complaint from all the hospitals that supply of medicines was quite insufficient.

President.—As stated, the allotment was only Rs. 90,000 and odd, and you paid out of it Rs. 50,000 and odd. So you had only Rs. 40,000 and odd. Did you find it sufficient to meet the wants ?

Diwan Bahadur Dr. V. Verghese.—I had about Rs. 30,000 or Rs. 40,000 worth of medicines in the Reserve Store, and I have been freely issuing to the various hospitals from that store.

President.—So you want no additional provision ?

Diwan Bahadur Dr. V. Verghese.—No.

Mr. A. B. Salem.—In 1102 and 1101 also you had previous stocks.

Diwan Bahadur Dr. V. Verghese.—This year's balance is the combined balance of the previous years.

Mr. A. B. Salem.—In 1102 the balance outstanding was Rs. 47,132 and the budget allotment was only 66 and odd thousand. So there was only a balance of nearly 20 thousand. Was that balance sufficient for the purchase of medicines for that year or whether there was the stock of the previous year ?

Diwan Bahadur Dr. V. Verghese.—We had arrears to the extent of 50 thousand and odd to pay at the end of 1103.

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